

SEP 27 2005

FROMMER LAWRENCE & HAUG LLP

745 Fifth Avenue
New York, New York 10151
Telephone: (212) 588-0800
Facsimile: (212) 588-0500

FACSIMILE COVER LETTER

To: 1) Technology Center 3600 - Art Unit 3624
2) John R. Love, Director - Technology Center 3600

Firm: USPTO

Facsimile No.: 571-273-8300

From: William Bailey (on behalf of John R. Lane]

Date: September 27, 2005

Re: U.S. Patent Application No. 10/049,331, filed 5 June 2002
Our Ref.: 681008-2000

No. of Pages: 2
(including cover page)

If you do not receive all pages or are unable to read the transmission, please call and ask for Bill Bailey at Ext. 2116.

URGENT

Gentlemen:

In response to a status inquiry faxed to Director John J. Love on Sept. 20, we received the attached notice. Since this application was filed on June 5, 2002, please clarify whether the stated "28 month" estimate for receipt of an Office Action is from the filing date (which would make it **October 2004** [last year] or 28 months from the date of the notice (which would make it January of 2008 (which will be **5 years, 7 months (67 months)** from the filing date. This seems quite a long time, even with backlogs.

Please provide further specific clarification of these dates.

Sincerely yours,

William Bailey
[on behalf of John R. Lane, Reg. No. 35,582]

CONFIDENTIALITY NOTICE

The documents accompanying this transmission contain confidential information intended for a specific individual and purpose. The information is private, and is legally protected by law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this facsimile is strictly prohibited.

00205712.DOC



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK, NY 10151

DATE: 09/23/2005

DOCKETED

To: Applicant of Serial Number 10049331
Filed on 05-JUN-2002
(Art Unit 3624)

It is estimated that this application will receive an Office action in approximately 28 months. This is an estimate that is based on the current inventory level of applications filed in this art area and the current staffing levels in this Art Unit. The USPTO is dedicated to minimizing first action and total pendency, and we are targeting resources to help address backlogs in art areas with high new application filings. Thank you for your inquiry.

Customer Service Office in Technology Center: 3600

Phone Number: 571-272-3600

Central Fax Number: 571-273-8300

Applicant/Attorney Contact Information:

Phone Number: 212-588-0800

Fax Number:

200 SEP 26 A 9 48
FROMMER LAWRENCE
& HAUG, LLP